United Nations S/RES/2314 (2016)

Security Council

Distr.: General
31 October 2016

Resolution 2314 (2016)

Adopted by the Security Council at its 7798th meeting, on 31 October 2016

The Security Council,

Recalling its resolutions 2235 (2015), 2209 (2015) and 2118 (2013),

Noting that additional allegations of chemical weapons use in Syria are being investigated by the Fact-Finding Mission of the OPCW,

Condemning again in the strongest terms any use of any toxic chemical as a weapon in the Syrian Arab Republic and *expressing alarm* that civilians continue to be killed and injured by toxic chemicals as weapons in the Syrian Arab Republic,

Reaffirming that the use of chemical weapons constitutes a serious violation of international law and *reiterating* that those individuals, entities, groups or governments responsible for any use of chemical weapons must be held accountable,

1. *Decides* to renew the mandate of the Joint Investigative Mechanism, as set out in resolution 2235, until 18 November 2016, and expresses its intention to consider a further extension before the expiration of this mandate;

2. *Reaffirms* paragraphs 1-4, 6-9, 12, and 15 of resolution 2235, and stresses the need for the full functioning of the Joint Investigative Mechanism during this period;

3. *Decides* to remain actively seized of the matter.

16-18963 (E)

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United Nations S/RES/2315 (2016)

Security Council

Distr.: General
8 November 2016

Resolution 2315 (2016)

Adopted by the Security Council at its 7803rd meeting, on 8 November 2016

The Security Council,

Recalling all its previous relevant resolutions concerning the conflicts in the Former Yugoslavia and relevant statements of its President, including resolutions 1031 (1995) of 15 December 1995, 1088 (1996) of 12 December 1996, 1423 (2002) of 12 July 2002, 1491 (2003) of 11 July 2003, 1551 (2004) of 9 July 2004, 1575 (2004) of 22 November 2004, 1639 (2005) of 21 November 2005, 1722 (2006) of 21 November 2006, 1764 (2007) of 29 June 2007, 1785 (2007) of 21 November 2007, 1845 (2008) of 20 November 2008, 1869 (2009) of 25 March 2009, 1895 (2009) of 18 November 2009, 1948 (2010) of 18 November 2010, 2019 (2011) of 16 November 2011, 2074 (2012) of 14 November 2012, 2123 (2013) of 12 November 2013, 2183 (2014) of 11 November 2014, and 2247 (2015) of 10 November 2015,

Reaffirming its commitment to the political settlement of the conflicts in the Former Yugoslavia, preserving the sovereignty and territorial integrity of all States there within their internationally recognized borders,

Underlining its commitment to support the implementation of the General Framework Agreement for Peace in Bosnia and Herzegovina and the annexes thereto (collectively the Peace Agreement, S/1995/999, Annex), as well as the relevant decisions of the Peace Implementation Council (PIC),

Noting the reports of the High Representative, including his latest report of 28 October 2016,

Welcoming the progress in the implementation of the Reform Agenda, adopted by Bosnia and Herzegovina in July 2015 and calling on the leadership of Bosnia and Herzegovina to maintain positive momentum in implementing the reforms, in line with citizen's demands and in cooperation with civil society,

Encouraging the authorities of Bosnia and Herzegovina, with the support of the international community, to accelerate their efforts to address the disposal of excess ammunition,

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Recalling all the agreements concerning the status of forces referred to in Appendix B to Annex 1-A of the Peace Agreement, and reminding the parties of their obligation to continue to comply therewith,

Further recalling the provisions of its resolution 1551 (2004) concerning the provisional application of the status of forces agreements contained in Appendix B to Annex 1-A of the Peace Agreement,

Welcoming the continued presence of EUFOR ALTHEA, successfully focusing on capacity-building and training while also retaining the capability to contribute to the Bosnia and Herzegovina authorities' deterrence capacity if the situation so requires,

Reiterating its calls on the competent authorities in Bosnia and Herzegovina to take necessary steps to complete the 5+2 agenda, which remains necessary for closure of the Office of the High Representative, as confirmed by the PIC Steering Board communiqués,

Reaffirming provisions concerning the High Representative as set out in its previous resolutions, and *further reaffirming* Article V of Annex 10 of the Peace Agreement regarding the High Representative's final authority in theatre in the interpretation of the civilian implementation of the Agreement,

Taking note of the continued support expressed by Bosnia and Herzegovina's leadership towards a European perspective, on the basis of the Peace Agreement, including through the submission of Bosnia and Herzegovina's EU membership application in February 2016,

Taking note of the EU's planned strategic review in autumn 2017,

Recognizing that the security environment has remained calm and stable, and noting that the Bosnia and Herzegovina authorities have so far proven capable to deal with threats to the safe and secure environment,

Determining that the situation in the region continues to constitute a threat to international peace and security,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that the primary responsibility for the further successful implementation of the Peace Agreement lies with all the authorities in Bosnia and Herzegovina themselves and notes the continued willingness of the international community and major donors to support them in implementing the Peace Agreement, and calls upon all the authorities in Bosnia and Herzegovina to fully cooperate with the International Criminal Tribunal for the Former Yugoslavia, as well as with the International Residual Mechanism for Criminal Tribunals, in order to complete its work and facilitate the closure of the Tribunal as expeditiously as possible;

2. *Welcomes* the EU's intention to maintain an EU military operation (EUFOR ALTHEA) in Bosnia and Herzegovina from November 2016;

3. *Authorizes* the Member States acting through or in cooperation with the EU to establish for a further period of twelve months, starting from the date of the adoption of this resolution, a multinational stabilization force (EUFOR ALTHEA) as

a legal successor to SFOR under unified command and control, which will fulfil its missions in relation to the implementation of Annex 1-A and Annex 2 of the Peace Agreement in cooperation with the NATO Headquarters presence in accordance with the arrangements agreed between NATO and the EU as communicated to the Security Council in their letters of 19 November 2004, which recognize that EUFOR ALTHEA will have the main peace stabilization role under the military aspects of the Peace Agreement;

4. *Decides* to renew the authorization provided by paragraph 11 of its resolution 2183 (2014) for a further period of twelve months starting from the date of adoption of this resolution;

5. *Authorizes* the Member States acting under paragraph 3 and 4 above to take all necessary measures to effect the implementation of and to ensure compliance with annexes 1-A and 2 of the Peace Agreement, stresses that the parties shall continue to be held equally responsible for the compliance with that annex and shall be equally subject to such enforcement action by EUFOR ALTHEA and the NATO presence as may be necessary to ensure implementation of those annexes and the protection of EUFOR ALTHEA and the NATO presence;

6. *Authorizes* Member States to take all necessary measures, at the request of either EUFOR ALTHEA or the NATO Headquarters, in defence of the EUFOR ALTHEA or NATO presence respectively, and to assist both organizations in carrying out their missions, and recognizes the right of both EUFOR ALTHEA and the NATO presence to take all necessary measures to defend themselves from attack or threat of attack;

7. *Authorizes* the Member States acting under paragraph 3 and 4 above, in accordance with annex 1-A of the Peace Agreement, to take all necessary measures to ensure compliance with the rules and procedures governing command and control of airspace over Bosnia and Herzegovina with respect to all civilian and military air traffic;

8. *Urges* the parties, in accordance with the Peace Agreement, to abide to their commitment to cooperate fully with all institutions involved in the implementation of this peace settlement, as described in the Peace Agreement, including Annex 4;

9. *Reaffirms* that under the Peace Agreement, Bosnia and Herzegovina consists of two entities, which exist legally by virtue of the Bosnia and Herzegovina Constitution, and further reaffirms that any change to the Constitution must be made in accordance with the amendment procedure prescribed therein;

10. *Decides* to remain seized of the matter.

United Nations S/RES/2316 (2016)

Security Council

Distr.: General
9 November 2016

Resolution 2316 (2016)

Adopted by the Security Council at its 7805th meeting, on 9 November 2016

The Security Council,

Recalling its previous resolutions concerning the situation in Somalia, especially resolutions 1814 (2008), 1816 (2008), 1838 (2008), 1844 (2008), 1846 (2008), 1851 (2008), 1897 (2009), 1918 (2010), 1950 (2010), 1976 (2011), 2015 (2011), 2020 (2011), 2077 (2012) 2125 (2013), 2184 (2014), and 2246 (2015) as well as the Statement of its President (S/PRST/2010/16) of 25 August 2010 and (S/PRST/2012/24) of 19 November 2012,

Welcoming the report of the Secretary-General (S/2016/843), as requested by resolution 2246 (2015), on the implementation of that resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia,

Reaffirming its respect for the sovereignty, territorial integrity, political independence, and unity of Somalia, including Somalia's sovereign rights in accordance with international law, with respect to offshore natural resources, including fisheries,

Noting that the joint counter-piracy efforts of States, regions, organizations, the maritime industry, the private sector, think tanks, and civil society have resulted in a steady decline in pirate attacks as well as hijackings since 2011, and *continuing* to be gravely concerned by the ongoing threat that resurgent piracy and armed robbery at sea poses to the prompt, safe, and effective delivery of humanitarian aid to Somalia and the region, to the safety of seafarers and other persons, to international navigation and the safety of commercial maritime routes, and to other ships, including fishing vessels operating in conformity with international law,

Further reaffirming that international law, as reflected in the United Nations Convention on the Law of the Sea of 10 December 1982 ("The Convention"), sets out the legal framework applicable to activities in the ocean, including countering piracy and armed robbery at sea,

Recognizing the need to investigate and prosecute not only suspects captured at sea, but also anyone who incites or intentionally facilitates piracy operations, including key figures of criminal networks involved in piracy who plan, organize,

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facilitate, or illicitly finance or profit from such attacks, and *reiterating* its concern over persons suspected of piracy having been released without facing justice, reaffirming that the failure to prosecute persons responsible for acts of piracy and armed robbery at sea off the coast of Somalia undermines anti-piracy efforts,

Noting with concern that the continuing limited capacity and domestic legislation to facilitate the custody and prosecution of suspected pirates after their capture has hindered more robust international action against pirates off the coast of Somalia, which has led to pirates being released without facing justice, regardless of whether there is sufficient evidence to support prosecution, and reiterating that, consistent with the provisions of The Convention concerning the repression of piracy, the 1988 Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation ("SUA Convention") provides for parties to create criminal offences, establish jurisdiction, and accept delivery of persons responsible for, or suspected of seizing, or exercising control over, a ship by force or threat thereof, or any other form of intimidation,

Underlining the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, noting the several requests from Somali authorities for international assistance to counter piracy off its coast, including the letter of 24 October 2016, from the Chargé d'affaires a.i. of the Permanent Mission of Somalia to the United Nations *expressing* the appreciation of Somali authorities to the Security Council for its assistance, expressing their willingness to consider working with other States and regional organizations to combat piracy and armed robbery at sea off the coast of Somalia, asking member states and international organizations to support the Federal Government of Somalia in its efforts to address illegal, unreported, and unregulated fishing in its Exclusive Economic Zone, and *requesting* that the provisions of resolution 2246 (2015) be renewed for an additional twelve months,

Welcoming the participation of the Federal Government of Somalia and regional partners in the 19th plenary session of the Contact Group on Piracy off the Coast of Somalia (CGPCS), hosted by the Seychelles in Victoria, Seychelles, May 31-June 3, 2016,

Recognizing the work of the CGPCS and the Law Enforcement Task Force to facilitate the prosecution of suspected pirates, and of the Working Group on Capacity Building of the CGPCS to coordinate judicial, penal, and maritime capacity-building efforts to enable regional states to better tackle piracy,

Welcoming the financing provided by the Trust Fund to Support Initiatives of States Combating Piracy off the Coast of Somalia (the Trust Fund) to strengthen regional ability to prosecute suspected pirates and imprison those convicted in accordance with applicable international human rights law, *noting* with appreciation the assistance provided by the United Nations Office of Drugs and Crime (UNODC) Maritime Crime Programme, and being determined to continue efforts to ensure that pirates are held accountable,

Commending the efforts of the EU Naval Force (EUNAVFOR) Operation ATALANTA, North Atlantic Treaty Organization Operation Ocean Shield, Combined Maritime Forces' Combined Task Force 151, the counter-piracy activities of the African Union onshore in Somalia and the naval activities of the Southern

Africa Development Community, and other States acting in a national capacity in cooperation with Somali authorities and each other to suppress piracy and to protect ships transiting through the waters off the coast of Somalia, and *welcoming* the Shared Awareness and Deconfliction Initiative (SHADE) and the efforts of individual countries, including China, India, the Islamic Republic of Iran, Japan, Republic of Korea, and the Russian Federation, which have deployed naval counter-piracy missions in the region,

Noting the efforts of flag States for taking measures to permit vessels sailing under their flag transiting the High Risk Area (HRA) to embark vessel protection detachments and privately contracted armed security personnel (PCASP), and to allow charters that favour arrangements that make use of such measures, while urging States to regulate such activities in accordance with applicable international law,

Noting that HRA boundaries are set and defined by the insurance and maritime industry, and have been redefined in December 2015,

Welcoming the capacity-building efforts in the region made by the International Maritime Organization (IMO) funded Djibouti Code of Conduct, the Trust Fund and the European Union's activities under the EU Mission on Regional Maritime Capacity in the Horn of Africa (EUCAP Nestor), which is working with the Federal Government of Somalia to strengthen its criminal justice system, and *recognizing* the need for all engaged international and regional organizations to coordinate and cooperate fully,

Supporting the development of a coastal police force, *noting* with appreciation the efforts made by the IMO and the shipping industry to develop and update guidance, best management practices, and recommendations to assist ships to prevent and suppress piracy attacks off the coast of Somalia, including in the Gulf of Aden, and in relevant parts of the Indian Ocean that are still within the High Risk Area and *recognizing* the work of the IMO and the CGPCS in this regard, *noting* the efforts of the International Organization for Standardization, which has developed industry standards of training and certification for Private Maritime Security Companies when providing PCASP on board ships in high-risk areas, and further welcoming the European Union's EUCAP Nestor, which is working to develop the maritime security capacities of Somalia,

Underlining the importance of continuing to enhance the collection, preservation, and transmission to competent authorities of evidence of acts of piracy and armed robbery at sea off the coast of Somalia, and *welcoming* the ongoing work of the IMO, INTERPOL, and industry groups to develop guidance to seafarers on preservation of crime scenes following acts of piracy, and *noting* the importance of enabling seafarers to give evidence in criminal proceedings to prosecute acts of piracy,

Further recognizing that pirate networks continue to rely on kidnapping and hostage-taking to help generate funding to purchase weapons, gain recruits, and continue their operational activities, thereby jeopardizing the safety and security of civilians and restricting the flow of commerce, and *welcoming* international efforts to coordinate the work of investigators and prosecutors, inter alia, through the Law Enforcement Task Force and collect and share information to disrupt the pirate

enterprise, as exemplified by INTERPOL's Global Database on Maritime Piracy, and *taking note* of the ongoing efforts of the Regional Fusion and Law Enforcement Centre for Safety and Security at Sea, hosted by Seychelles to combat piracy and transnational organized crime,

Reaffirming international condemnation of acts of kidnapping and hostage-taking, including offences contained within the International Convention against the Taking of Hostages, strongly *condemning* the continuing practice of hostage-taking by pirates operating off the coast of Somalia, *expressing* serious concern at the inhumane conditions hostages face in captivity, *recognizing* the adverse impact on their families, *calling* for the immediate release of all hostages, and *noting* the importance of cooperation between Member States on the issue of hostage-taking and the prosecution of suspected pirates for taking hostages,

Commending Kenya, Mauritius, Tanzania, and Seychelles, for their efforts to prosecute suspected pirates in their national courts, and *noting* with appreciation the assistance provided by the UNODC Maritime Crime Programme, the Trust Fund, and other international organizations and donors, in coordination with the CGPCS, to support Kenya, Mauritius, Seychelles, Tanzania, Somalia, and other States in the region with their efforts to prosecute, or incarcerate in a third State after prosecution elsewhere, pirates, including facilitators and financiers ashore, consistent with applicable international human rights law, and *emphasizing* the need for States and international organizations to further enhance international efforts in this regard,

Welcoming the readiness of the national and regional administrations of Somalia to cooperate with each other and with States who have prosecuted suspected pirates with a view to enabling convicted pirates to be repatriated back to Somalia under suitable prisoner transfer arrangements, consistent with applicable international law, including international human rights law, and *acknowledging* the return from Seychelles to Somalia of convicted prisoners willing and eligible to serve their sentences in Somalia,

Welcoming the work of the Maritime Security Coordination Committee (MSCC), as an important mechanism of information sharing, and *encouraging* the Somali national and regional administrations to take increasing responsibility for counter-piracy initiatives,

Expressing serious concern over reports of illegal, unreported and unregulated fishing (IUU) in Somalia's Exclusive Economic Zone (EEZ), and *noting* the complex relationship between IUU fishing and piracy, *recognizing* that IUU fishing accounts for millions of dollars in lost revenue for Somalia each year, and can contribute to destabilization among coastal communities,

Noting Somalia's accession to the FAO's Agreement on Port State Measures to Prevent, Deter and Eliminate Illegal, Unreported and Unregulated Fishing, *recognizing* the projects supported by FAO and UNODC aimed at enhancing the Somalia's capacity to combat such activities, and *stressing* the need for States and international organizations to further intensify their support to the Federal Government of Somalia, at its request, in enhancing Somalia's capacity to combat such activities,

Recognizing the ongoing efforts of the Federal Government of Somalia towards the development of a legal regime for the distribution of fishing licenses,

and encouraging further efforts in this regard, with the support of the international community,

Recalling the reports of the Secretary-General which illustrate the seriousness of piracy and armed robbery at sea off the coast of Somalia and provide useful guidance for the investigation and prosecution of pirates, including on specialized anti-piracy courts,

Stressing the need for States to consider possible methods to assist the seafarers who are victims of pirates, and welcoming in this regard the efforts of the "Hostage Support Programme" and the Piracy Survivor Family Fund launched at the 2014 CGPCS to provide support to hostages during their release and return home, as well as to their families throughout the hostage situation,

Recognizing the progress made by the CGPCS and UNODC in the use of public information tools to raise awareness of the dangers of piracy and highlight the best practices to eradicate this criminal phenomenon,

Noting efforts by UNODC and UNDP and the funding provided by the Trust Fund, the European Union, the United Kingdom, the United States, and other donors to develop regional judicial and law enforcement capacity to investigate, arrest, and prosecute suspected pirates and to incarcerate convicted pirates consistent with applicable international human rights law,

Bearing in mind the Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, *noting* the operations of information-sharing centres in Yemen, Kenya, and Tanzania, *recognizing* the efforts of signatory States to develop the appropriate regulatory and legislative frameworks to combat piracy, enhance their capacity to patrol the waters of the region, interdict suspect vessels, and prosecute suspected pirates,

Emphasizing that peace and stability within Somalia, the strengthening of State institutions, economic and social development, and respect for human rights and the rule of law are necessary to create the conditions for a durable eradication of piracy and armed robbery at sea off the coast of Somalia, and further *emphasizing* that Somalia's long-term security rests with the effective development by Somali authorities of the Somali National Army and Somali Police Force,

Welcoming the Padang Communique and Maritime Cooperation Declaration adopted by the Indian Ocean Rim Association (IORA) at its 15th Council of Ministers meeting, which call upon members to support and strengthen cooperation to address maritime challenges including piracy and illegal trafficking of drugs, and welcoming Somalia's October 2016 signing of the IORA charter to formally become a member State, thereby strengthening Somalia's cooperation with its neighbours on maritime safety and security,

Recognizing that the ongoing instability in Somalia and the acts of piracy and armed robbery at sea off its coast are inextricably linked, and stressing the need to continue the comprehensive response by the international community to repress piracy and armed robbery at sea and tackle its underlying causes,

Determining that the incidents of piracy and armed robbery at sea off the coast of Somalia, as well as the activity of pirate groups in Somalia, are an important

factor exacerbating the situation in Somalia, which continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reiterates* that it condemns and deplores all acts of piracy and armed robbery at sea off the coast of Somalia;

2. *While noting* improvements in Somalia, *recognizes* that piracy exacerbates instability in Somalia by introducing large amounts of illicit cash that fuels additional crime and corruption;

3. *Stresses* the need for a comprehensive response to prevent and suppress piracy and tackle its underlying causes by the international community;

4. *Underlines* the primary responsibility of the Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, *welcomes* the draft coast guard law which the Somali authorities, with the support of the European Union Naval Force (EUNAVFOR) Operation Atalanta and EUCAP Nestor have submitted to the Council of Ministers for approval by Parliament and *urges* the Somali authorities, to continue their work to pass a comprehensive set of anti-piracy and maritime laws without further delay and establish security forces with clear roles and jurisdictions to enforce these laws and to continue to develop, with international support as appropriate, the capacity of Somali courts to investigate and prosecute persons responsible for acts of piracy and armed robbery, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attacks;

5. *Recognizes* the need to continue investigating and prosecuting those who plan, organize, or illicitly finance or profit from pirate attacks off the coast of Somalia, including key figures of criminal networks involved in piracy, *urges* States, working in conjunction with relevant international organizations, to adopt legislation to facilitate prosecution of suspected pirates off the coast of Somalia;

6. *Calls upon* the Somali authorities to interdict, and upon interdiction to have mechanisms in place to safely return effects seized by pirates, investigate and prosecute pirates and to patrol the waters off the coast of Somalia to prevent and suppress acts of piracy and armed robbery at sea;

7. *Calls upon* the Somali authorities to make all efforts to bring to justice those who are using Somali territory to plan, facilitate, or undertake criminal acts of piracy and armed robbery at sea, and calls upon Member States to assist Somalia, at the request of Somali authorities and with notification to the Secretary-General, to strengthen maritime capacity in Somalia, including regional authorities and, stresses that any measures undertaken pursuant to this paragraph shall be consistent with applicable international law, in particular international human rights law;

8. *Calls upon* States to cooperate also, as appropriate, on the issue of hostage taking, and the prosecution of suspected pirates for taking hostages;

9. *Calls for* the immediate and unconditional release of all seafarers held hostage by Somali pirates, and further calls upon the Somali authorities and all relevant stakeholders to redouble their efforts to secure their safe and immediate release;

10. *Welcomes* the initiative of the Seychelles authorities to establish a court for piracy and maritime crime and further *welcomes* the successful prosecution of piracy cases by this body;

11. *Recognizes* the need for States, international and regional organizations, and other appropriate partners to exchange evidence and information for anti-piracy law enforcement purposes with a view to ensuring effective prosecution of suspected, and imprisonment of convicted, pirates and with a view to the arrest and prosecution of key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance and profit from piracy operations, and keeps under review the possibility of applying targeted sanctions against individuals or entities that plan, organize, facilitate, or illicitly finance or profit from piracy operations if they meet the listing criteria set out in paragraph 43 of resolution 2093 (2013), and *calls* upon all States to cooperate fully with the Somalia and Eritrea Monitoring Group, including on information-sharing regarding possible violations of the arms embargo or charcoal ban;

12. *Renews* its call upon States and regional organizations that are able to do so to take part in the fight against piracy and armed robbery at sea off the coast of Somalia, in particular, consistent with this resolution and international law, by deploying naval vessels, arms, and military aircraft, by providing basing and logistical support for counter-piracy forces, and by seizing and disposing of boats, vessels, arms, and other related equipment used in the commission of piracy and armed robbery at sea off the coast of Somalia, or for which there are reasonable grounds for suspecting such use;

13. *Highlights* the importance of coordination among States and international organizations in order to deter acts of piracy and armed robbery at sea off the coast of Somalia, commends the work of the CGPCS to facilitate such coordination in cooperation with the IMO, flag States, and Somali authorities, and urges continued support of these efforts;

14. *Encourages* Member States to continue to cooperate with Somali authorities in the fight against piracy and armed robbery at sea, notes the primary role of Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, and *decides* that, for a further period of twelve months from the date of this resolution to renew the authorizations as set out in paragraph 14 of resolution 2246 (2015) granted to States and regional organizations cooperating with Somali authorities in the fight against piracy and armed robbery at sea off the coast of Somalia, for which advance notification has been provided by Somali authorities to the Secretary-General;

15. *Affirms* that the authorizations renewed in this resolution apply only with respect to the situation in Somalia and shall not affect the rights, obligations, or responsibilities of Member States under international law, including any rights or obligations under The Convention, with respect to any other situation, and underscores in particular that this resolution shall not be considered as establishing customary international law; and affirms further that such authorizations have been renewed based on the receipt of the 24 October 2016 letter conveying the consent of Somali authorities;

16. *Decides* that the arms embargo on Somalia imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon by paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 does not apply to supplies of weapons and military equipment or the provision of assistance destined for the sole use of Member States, international, regional, and subregional organizations undertaking measures in accordance with paragraph 14 above;

17. *Requests* that cooperating States take appropriate steps to ensure that the activities they undertake pursuant to the authorizations in paragraph 14 do not have the practical effect of denying or impairing the right of innocent passage to the ships of any third State;

18. *Calls upon* all States, and in particular flag, port, and coastal States, States of the nationality of victims and perpetrators of piracy and armed robbery, and other States with relevant jurisdiction under international law and national legislation, to cooperate in determining jurisdiction and in the investigation and prosecution of all persons responsible for acts of piracy and armed robbery off the coast of Somalia, including key figures of criminal networks involved in piracy who plan, organize, facilitate, or illicitly finance or profit from such attack, consistent with applicable international law including international human rights law, to ensure that all pirates handed over to judicial authorities are subject to a judicial process, and to render assistance by, among other actions, providing disposition and logistics assistance with respect to persons under their jurisdiction and control, such as victims, witnesses, and persons detained as a result of operations conducted under this resolution;

19. *Calls upon* all States to criminalize piracy under their domestic law and to favourably consider the prosecution of suspected, and imprisonment of those convicted, pirates apprehended off the coast of Somalia, and their facilitators and financiers ashore, consistent with applicable international law, including international human rights law, and decides to keep these matters under review, including, as appropriate, the establishment of specialized anti-piracy courts in Somalia with substantial international participation and/or support as set forth in resolution 2015 (2011), and encourages the CGPCS to continue its discussions in this regard;

20. *Welcomes*, in this context, the UNODC Maritime Crime Programme's continued work with authorities in Somalia and in neighbouring States to ensure that individuals suspected of piracy are prosecuted and those convicted are imprisoned in a manner consistent with international law, including international human rights law;

21. *Encourages* the Federal Government of Somalia to accede to the United Nations Convention Against Transnational Organized Crime, as part of its efforts to target money laundering and financial support structures on which piracy networks survive;

22. *Urges* all States to take appropriate actions under their existing domestic law to prevent the illicit financing of acts of piracy and the laundering of its proceeds;

23. *Urges* States, in cooperation with INTERPOL and Europol, to further investigate international criminal networks involved in piracy off the coast of Somalia, including those responsible for illicit financing and facilitation;

24. *Urges* all States to ensure that counter-piracy activities, particularly land-based activities, take into consideration the need to protect women and children from exploitation, including sexual exploitation;

25. *Urges* all States to share information with INTERPOL for use in the global piracy database, through appropriate channels;

26. *Commends* the contributions of the Trust Fund and the IMO-funded Djibouti Code of Conduct and urges both state and non-State actors affected by piracy, most notably the international shipping community, to contribute to them;

27. *Urges* States parties to The Convention and the SUA Convention to implement fully their relevant obligations under these conventions and customary international law and to cooperate with the UNODC, IMO, and other States and international organizations to build judicial capacity for the successful prosecution of persons suspected of piracy and armed robbery at sea off the coast of Somalia;

28. *Acknowledges* the recommendations and guidance provided by the IMO on preventing and suppressing piracy and armed robbery at sea; and urges States, in collaboration with the shipping and insurance industries and the IMO, to continue to develop and implement avoidance, evasion, and defensive best practices and advisories to take when under attack or when sailing in the waters off the coast of Somalia, and further urges States to make their citizens and vessels available for forensic investigation as appropriate at the first suitable port of call immediately following an act or attempted act of piracy or armed robbery at sea or release from captivity;

29. *Encourages* flag States and port States to further consider the development of safety and security measures on board vessels, including, where applicable, developing regulations for the use of PCASP on board ships, aimed at preventing and suppressing piracy off the coast of Somalia, through a consultative process, including through the IMO and ISO;

30. *Invites* the IMO to continue its contributions to the prevention and suppression of acts of piracy and armed robbery against ships, in coordination, in particular, with the UNODC, the World Food Program (WFP), the shipping industry, and all other parties concerned, and recognizes the IMO's role concerning privately contracted armed security personnel on board ships in high-risk areas;

31. *Notes* the importance of securing the safe delivery of WFP assistance by sea, and welcomes the ongoing work by the WFP, EUNAVFOR Operation Atalanta, and flag States with regard to Vessel Protection Detachments on WFP vessels;

32. *Requests* States and regional organizations cooperating with Somali authorities to inform the Security Council and the Secretary-General in nine months of the progress of actions undertaken in the exercise of the authorizations provided in paragraph 14 above and further requests all States contributing through the CGPCS to the fight against piracy off the coast of Somalia, including Somalia and other States in the region, to report by the same deadline on their efforts to establish jurisdiction and cooperation in the investigation and prosecution of piracy;

33. *Requests* the Secretary-General to report to the Security Council within eleven months of the adoption of this resolution on the implementation of this resolution and on the situation with respect to piracy and armed robbery at sea off the coast of Somalia;

34. *Expresses its intention* to review the situation and consider, as appropriate, renewing the authorizations provided in paragraph 14 above for additional periods upon the request of Somali authority;

35. *Decides* to remain seized of the matter.

United Nations S/RES/2317 (2016)

Security Council

Distr.: General
10 November 2016

Resolution 2317 (2016)

Adopted by the Security Council at its 7807th meeting, on 10 November 2016

The Security Council,

Recalling all its previous resolutions and statements of its President on the situation in Somalia and Eritrea, in particular resolutions 733 (1992), 1844 (2008), 1907 (2009), 2036 (2012), 2023 (2011), 2093 (2013), 2111 (2013), 2124 (2013), 2125 (2013), 2142 (2014), 2182 (2014), and 2244 (2015),

Taking note of the final reports of the Somalia and Eritrea Monitoring Group (the SEMG) on Somalia (S/2016/919) and Eritrea (S/2016/920) and their conclusions on the situations in both Somalia and Eritrea,

Reaffirming its respect for the sovereignty, territorial integrity, political independence and unity of Somalia, Djibouti and Eritrea respectively,

Condemning any flows of weapons and ammunition supplies to and through Somalia in violation of the arms embargo on Somalia and to Eritrea in violation of the arms embargo on Eritrea, as a serious threat to peace and stability in the region,

Expressing concern that Al-Shabaab continues to pose a serious threat to the peace and stability of Somalia and the region,

Welcoming the further improved relationship between the Federal Government of Somalia (FGS), regional administrations, and the SEMG, and *underlining* the importance of these relationships improving further and strengthening in the future,

Welcoming the efforts of the FGS to improve its notifications to the Committee pursuant to resolutions 751 (1992) and 1907 (2009) concerning Somalia and Eritrea ("the Committee"), *looking forward* to further progress in the future, particularly in relation to post-delivery notifications, and *recalling* that improved arms and ammunition management in Somalia is a fundamental component of greater peace and stability for the region,

Taking note of the preliminary efforts of the FGS to restore key economic and financial institutions and progress achieved on financial governance and structural reforms; and *welcoming* the passing of anti-money-laundering legislation and the establishment of a Financial Reporting Centre,

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Underlining the importance of financial propriety in the run up to, and conduct of, elections in Somalia in 2016, and *stressing* the need for further efforts to fight corruption, promote transparency and increase mutual accountability in Somalia,

Expressing serious concern at reports of illegal, unreported and unregulated fishing in waters where Somalia has jurisdiction, *underlining* the importance of refraining from illegal, unreported and unregulated fishing, *welcoming* further reporting on the matter, and encouraging the FGS, with the support of the international community, to ensure that fishing licenses are issued in a responsible manner and in line with the appropriate Somali legal framework,

Expressing serious concern at the ongoing difficulties in delivering humanitarian aid in Somalia, and *condemning* in the strongest terms any party obstructing the delivery of humanitarian assistance, as well as the misappropriation or diversion of any humanitarian funds or supplies,

Recalling that the FGS has the primary responsibility to protect its population, and *recognizing* the FGS' responsibility, working with the regional administrations to build the capacity of its own national security forces, as a matter of priority,

Taking note of the two meetings and six letters between the representative of the Government of Eritrea and the SEMG, *expressing concern* that the SEMG has not been able to visit Eritrea since 2011 and fully discharge its mandate, and *underlining* that deepened cooperation will help the Security Council be better informed about Eritrea's compliance with the relevant Security Council resolutions,

Taking note that during the course of its current and two previous mandates the SEMG has not found any evidence that the Government of Eritrea is supporting Al-Shabaab,

Expressing concern over reports by the SEMG of ongoing Eritrean support for certain regional armed groups, and *encouraging* the SEMG to provide further detailed reporting and evidence on this issue,

Expressing serious concern at ongoing reports of Djiboutian combatants missing in action since the clashes in 2008, *urging* Eritrea to share any available detailed information pertaining to the combatants, including to the SEMG,

Welcoming the release of four prisoners of war by Eritrea in March 2016, *expressing* support for mediation efforts by the State of Qatar and *encouraging* further mediation efforts by the State of Qatar in order to reach a final and binding solution to resolve this issue as well as the border dispute between Djibouti and Eritrea,

Underlining the importance it attaches to all Member States complying with the terms of the arms embargo imposed on Eritrea by resolution 1907 (2009),

Determining that the situation in Somalia, as well as the dispute between Djibouti and Eritrea, continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

Arms embargo

1. *Reaffirms* the arms embargo on Somalia, imposed by paragraph 5 of resolution 733 (1992) and further elaborated upon in paragraphs 1 and 2 of resolution 1425 (2002) and modified by paragraphs 33 to 38 of resolution 2093 (2013) and paragraphs 4 to 17 of resolution 2111 (2013), paragraph 14 of resolution 2125 (2013), paragraph 2 of resolution 2142 (2014), and paragraphs 2 to 10 of resolution 2244 (2015) (hereafter referred to as "the arms embargo on Somalia");

2. *Decides* to renew the provisions set out in paragraph 2 of resolution 2142 (2014) until 15 November 2017, and in that context *reiterates* that the arms embargo on Somalia shall not apply to deliveries of weapons, ammunition or military equipment or the provision of advice, assistance or training, intended solely for the development of the Somali National Security Forces, to provide security for the Somali people, except in relation to deliveries of the items set out in the annex of resolution 2111 (2013);

3. *Reaffirms* that the entry into Somali ports for temporary visits of vessels carrying arms and related materiel for defensive purposes does not amount to a delivery of such items in violation of the arms embargo on Somalia, provided that such items remain at all times aboard such vessels;

4. *Reiterates* that weapons or military equipment sold or supplied solely for the development of the Somali National Security Forces may not be resold to, transferred to, or made available for use by, any individual or entity not in the service of the Somali National Security Forces, and *underlines* the responsibility of the FGS to ensure the safe and effective management, storage and security of their stockpiles;

5. *Welcomes* in this regard the commencement, by the FGS, of a more rigorous weapons registration, recording and marking procedure, *expresses concern* at reports of continued weapons diversion from within the FGS, *notes* that further improved weapons management is vital in order to prevent the diversion of weapons, *welcomes* the efforts of the FGS to develop detailed Standard Operating Procedures for weapons and ammunition management, and *urges* the FGS to finalize and implement these procedures as soon as possible;

6. *Further welcomes* the efforts of the FGS in establishing the Joint Verification Team (JVT) and *urges* Member States to support improved weapons and ammunition management to improve the capacity of the FGS to manage weapons and ammunition;

7. *Welcomes* the improvement in FGS reporting to the Security Council pursuant to paragraph 9 of resolution 2182 (2014) and as requested in paragraph 7 of resolution 2244 (2015), *calls on* the FGS and regional administrations to prioritize a sustainable and comprehensive agreement on the composition of the Somali Security Forces based on the National Security Policy and *requests* the FGS to report to the Security Council in accordance with paragraph 9 of resolution 2182 (2014) and as requested in paragraph 7 of resolution 2244 (2015) on the structure, composition, strength and disposition of its Security Forces, including the status of regional and militia forces by 30 March 2017 and then by 30 September 2017;

8. *Recalls* that the FGS has the primary responsibility to notify the Committee, pursuant to paragraphs 3 to 8 of resolution 2142 (2014), *welcomes* the efforts of the FGS in improving its notifications to the Committee;

9. *Calls upon* the FGS to improve the timeliness and content of notifications regarding the completion of deliveries, as set out in paragraph 6 of resolution 2142 (2014) and the destination unit upon distribution of imported arms and ammunition, as set out by paragraph 7 of resolution 2142 (2014);

10. *Stresses* Member States' obligations pursuant to the notification procedures set out in paragraph 11 (a) of resolution 2111 (2013), *underlines* the need for Member States to strictly follow the notification procedures for providing assistance to develop Somali security sector institutions, and *encourages* Member States to consider the Implementation Assistance Notice of 14 March 2016 as a guide;

11. *Recalls* paragraph 2 of resolution 2142 (2014) and notes that support for the development of the Somali National Security Forces may include, inter alia, building infrastructure and provision of salaries and stipends solely provided to the Somali National Security Forces;

12. *Urges* increased cooperation by Africa Union Mission in Somalia (AMISOM), as set out in paragraph 6 of resolution 2182 (2014), to document and register all military equipment captured as part of offensive operations or in the course of carrying out their mandates, involving other Somali National Security Forces as appropriate;

13. *Calls upon* the FGS and regional administrations to enhance civilian oversight of its Security Forces, to adopt and implement appropriate vetting procedures of all defence and security personnel, including human rights vetting, in particular through investigation and prosecuting individuals responsible for violations of international humanitarian law, and in this context *recalls* the importance of the Secretary-General's Human Rights and Due Diligence Policy in relation to the support provided by the United Nations to the Somali National Army;

14. *Underlines* the importance of timely and predictable payment of salaries to the Somali security forces and *calls on* the FGS to implement systems to improve the timeliness and accountability of payments and supply of provisions to the Somali security forces;

15. *Recalls* the need to build the capacities of the Somali National Security Forces, in particular the provision of equipment, training and mentoring, in order to build credible, professional security forces to enable the gradual handing over of security responsibilities from AMISOM to the Somali security forces, and *encourages* further donor support in this regard;

16. *Further reaffirms* the arms embargo on Eritrea imposed by paragraphs 5 and 6 of resolution 1907 (2009) (hereafter referred to as "the arms embargo on Eritrea");

Threats to peace and security

17. *Expresses concern* at the continued reports of corruption and diversion of public resources which pose a risk to State-building efforts, *expresses serious*

concern at reports of financial impropriety involving members of the FGS, regional administrations, Federal Member States and Federal Parliament, which pose a risk to State-building efforts, and in this context *underlines* that individuals engaged in acts which threaten the peace and reconciliation process in Somalia may be listed for targeted measures;

18. *Welcomes* the efforts which the FGS has made in order to improve its financial management procedures including continued engagement between the FGS and the International Monetary Fund (IMF), *encourages* the Somali authorities to maintain the pace of reform and continue the implementation of IMF-recommended reforms to support the continuation of a Staff Monitored Programme and increased transparency, accountability, comprehensiveness and predictability in revenue collection and budget allocations, and expresses concern at the generation and distribution of counterfeit Somali currency;

19. *Reaffirms* Somalia's sovereignty over its natural resources;

20. *Reiterates its serious concern* that the petroleum sector in Somalia could be a driver for increased conflict, and in that context underlines the vital importance of the FGS putting in place, without undue delay, resource-sharing arrangements and credible legal framework to ensure that the petroleum sector in Somalia does not become a source of increased tension;

21. *Expresses serious concern* at Al-Shabaab's increasing reliance on revenue from natural resources including the taxing of illicit sugar trade, agricultural production, and livestock and *looks forward* to further SEMG reporting on this issue;

Charcoal ban

22. *Reaffirms* the ban on the import and export of Somali charcoal, as set out in paragraph 22 of resolution 2036 (2012) ("the charcoal ban"), *welcomes* the decrease in exports of charcoal from Somalia and increased efforts of Member States to prevent the import of charcoal of Somali origin, *reiterates* that the Somali authorities shall take the necessary measures to prevent the export of charcoal from Somalia, and *urges* Member States to continue their efforts to ensure full implementation of the ban;

23. *Reiterates* its requests in paragraph 18 of resolution 2111 (2013), that AMISOM support and assist the Somali authorities in implementing the total ban on the export of charcoal from Somalia and *calls upon* AMISOM to facilitate regular access for the SEMG to charcoal exporting ports;

24. *Welcomes* the efforts of the Combined Maritime Forces (CMF) in their efforts to disrupt the export and import of charcoal to and from Somalia, and *further welcomes* the cooperation between the SEMG and CMF in keeping the Committee informed on the charcoal trade;

25. *Expresses concern* that the charcoal trade provides funding for Al-Shabaab, and in that context reiterates paragraphs 11 to 21 of resolution 2182 (2014), and *further decides* to renew the provisions set out in paragraph 15 of resolution 2182 (2014) until 15 November 2017;

26. *Encourages* the United Nations Office on Drugs and Crime to continue its work, within its current mandate, under the Indian Ocean Forum on Maritime Crime to bring together relevant Member States and international organizations to develop strategies to disrupt the trade in Somali charcoal;

Humanitarian access

27. *Expresses serious concern* at the acute humanitarian situation in Somalia, *condemns* in the strongest terms increased attacks against humanitarian actors and any misuse of donor assistance and the obstruction of the delivery of humanitarian aid, and *reiterates* its demand that all parties allow and facilitate full, safe and unhindered access for the timely delivery of aid to persons in need across Somalia and *encourages* the FGS to improve the regulatory environment for aid donors;

28. *Decides* that until 15 November 2017 and without prejudice to humanitarian assistance programmes conducted elsewhere, the measures imposed by paragraph 3 of resolution 1844 (2008) shall not apply to the payment of funds, other financial assets or economic resources necessary to ensure the timely delivery of urgently needed humanitarian assistance in Somalia, by the United Nations, its specialized agencies or programmes, humanitarian organizations having observer status with the United Nations General Assembly that provide humanitarian assistance, and their implementing partners including bilaterally or multilaterally funded non-governmental organizations participating in the United Nations Humanitarian Response Plan for Somalia;

29. *Requests* the Emergency Relief Coordinator to report to the Security Council by 15 October 2017 on the delivery of humanitarian assistance in Somalia and on any impediments to the delivery of humanitarian assistance in Somalia, and *requests* relevant United Nations agencies and humanitarian organizations having observer status with the United Nations General Assembly and their implementing partners that provide humanitarian assistance in Somalia to increase their cooperation and willingness to share information with the United Nations;

Eritrea

30. *Welcomes* the SEMG's ongoing and significant efforts to engage with the Government of Eritrea, in that context recalls the two meetings between the Representative of the Government of Eritrea and the SEMG, *reiterates* its expectation that the Government of Eritrea will facilitate the entry of the SEMG to Eritrea, to discharge fully its mandate, in line with its repeated requests, including in paragraph 52 of resolution 2182 (2014); and *underlines* that deepened cooperation will help the Security Council be better informed about Eritrea's compliance with the relevant Security Council resolutions;

31. *Urges* the Government of Eritrea to facilitate a visit of the SEMG to Eritrea, and thereafter to support regular visits to Eritrea by the SEMG;

32. *Calls on* Eritrea to cooperate fully with the SEMG, in accordance with the SEMG's mandate contained in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013);

33. *Stresses* its demand that the Government of Eritrea allow access and make available any detailed information, including to the SEMG, pertaining to the

Djiboutian combatants missing in action since the clashes of 2008 so that those concerned may ascertain the presence and conditions of any remaining Djiboutian prisoners of war;

34. *Expresses* its intention to review measures on Eritrea in light of the upcoming midterm update by the SEMG due by 30 April 2017, and taking into account relevant Security Council resolutions;

Somalia

35. *Recalls* resolution 1844 (2008) which imposed targeted sanctions and resolutions 2002 (2011) and 2093 (2013) which expanded the listing criteria, and *notes* one of the listing criteria under resolution 1844 (2008) is engaging in acts that threaten the peace, security or stability of Somalia;

36. *Reiterates* its willingness to adopt targeted measures against individuals and entities on the basis of the above-mentioned criteria;

37. *Reiterates its request* for Member States to assist the SEMG in their investigations, *reiterates* that obstructing the investigations or work of the SEMG is a criterion for listing under paragraph 15 (e) of resolution 1907 (2009) and *further requests* the FGS, regional authorities and AMISOM to share information with the SEMG regarding Al-Shabaab activities;

38. *Decides* to extend until 15 December 2017 the mandate of the Somalia and Eritrea SEMG as set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013), and *expresses* its intention to review the mandate and take appropriate action regarding the further extension no later than 15 November 2017;

39. *Requests* the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the SEMG, in consultation with the Committee, until 15 December 2017, drawing, as appropriate, on the expertise of the members of the SEMG established pursuant to previous resolutions, and *further requests* that administrative support to the SEMG be adjusted, within existing resources, to facilitate the delivery of their mandate;

40. *Requests* the SEMG to provide monthly updates to the Committee, and a comprehensive midterm update, as well as to submit, for the Security Council's consideration, through the Committee, two final reports; one focusing on Somalia, the other on Eritrea by 15 October 2017, covering all the tasks set out in paragraph 13 of resolution 2060 (2012) and updated in paragraph 41 of resolution 2093 (2013) and paragraph 15 of resolution 2182 (2014);

41. *Requests* the Committee, in accordance with its mandate and in consultation with the SEMG and other relevant United Nations entities to consider the recommendations contained in the reports of the SEMG and recommend to the Security Council ways to improve the implementation of and compliance with the Somalia and Eritrea arms embargoes, the measures regarding the import and export of charcoal from Somalia, as well as implementation of the measures imposed by paragraphs 1, 3 and 7 of resolutions 1844 (2008) and paragraphs 5, 6, 8, 10, 12 and 13 of resolution 1907 (2009) in response to continuing violations;

42. *Requests* the Committee to consider, where and when appropriate, visits to selected countries by the Chair and/or Committee members to enhance the full and effective implementation of the measures above, with a view to encouraging States to comply fully with this resolution;

43. *Decides* to remain seized of the matter.

United Nations S/RES/2318 (2016)

Security Council

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15 November 2016

Resolution 2318 (2016)

Adopted by the Security Council at its 7810th meeting, on 15 November 2016

The Security Council,

Recalling its previous resolutions and its presidential statements on the situation in Sudan and South Sudan, and in particular, resolutions 1990 (2011), 2024 (2011), 2032 (2011), 2046 (2012), 2047 (2012), 2075 (2012), 2104 (2013), 2126 (2013), 2156 (2014), 2179 (2014), 2205 (2015), 2230 (2015), 2251 (2015) and 2287 (2016) as well as presidential statements S/PRST/2012/19 and S/PRST/2013/14, and the Council's press statements of 18 June 2012, 21 September 2012, 28 September 2012, 6 May 2013, 14 June 2013, 14 February 2014, 17 March 2014, 11 December 2014, and 27 November 2015,

Reaffirming its strong commitment to the sovereignty, independence, unity and territorial integrity of Sudan and South Sudan, and to the purposes and the principles of the Charter of the United Nations, and recalling the importance of the principles of good neighbourliness, non-interference and regional cooperation,

Reiterating that the territorial boundaries of States shall not be altered by force, and that any territorial disputes shall be settled exclusively by peaceful means, *affirming* the priority it attaches to the full and urgent implementation of all outstanding issues from the Comprehensive Peace Agreement (CPA), and *underscoring* that the future status of Abyei shall be resolved by negotiations between the parties in a manner consistent with the CPA and not by the unilateral actions of either party,

Recalling the commitments made by the Government of Sudan and the Government of South Sudan in the 20 June 2011 Agreement between the Government of Sudan and the Sudan People's Liberation Movement on Temporary Arrangements for the Administration and Security of the Abyei Area, the 29 June 2011 Agreement between the Government of the Sudan and the Government of South Sudan on Border Security and the Joint Political and Security Mechanism (JPSM), and the 30 July 2011 Agreement on the Border Monitoring Support Mission between the Government of Sudan and the Government of South Sudan, as well as the 27 September 2012 Agreements on Cooperation and Security Arrangements, the JPSM's 8 March 2013 decision, and the Implementation Matrix of 12 March 2013,

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reached by the Government of Sudan and the Government of South Sudan in Addis Ababa under the auspices of the African Union High-level Implementation Panel (AUHIP), as well as the extraordinary meeting of the JPSM on 13-14 October 2015 and the ordinary session of the JPSM on 5 June 2016,

Recognizing some positive developments reported at the beginning of this year in relations between the Governments of Sudan and South Sudan on border security, *encouraging* progress on improving bilateral relations between Sudan and South Sudan, and *stressing the need* for regular meetings of the JPSM and other joint mechanisms, including the Joint Border Commission and Joint Demarcation Committee, to enable dialogue and coordination on matters of border security,

Urging the Governments of Sudan and South Sudan to reinvigorate progress towards implementing the Temporary Arrangements for the Administration and Security of the Abyei Area as set out in the 20 June 2011 Agreement,

Expressing its full support for the efforts of the African Union on the situation between the Republic of Sudan and the Republic of South Sudan, in order to ease the current tension, facilitate the resumption of negotiations on post-secession relations and the normalization of their relations, *recalling* in this regard the African Union Peace and Security Council (AUPSC) communiqués of 24 April 2012, 24 October 2012, 25 January 2013, 7 May 2013, 29 July 2013, 23 September 2013, 26 October 2013, 12 November 2013, 12 September 2014, 31 July 2015, 25 August 2015, and 19 January 2016; the AUPSC press statements of 6 November 2013, 24 March 2015, and 10 December 2015; and the statement from the Chairperson of the African Union Commission on 28 October 2013 and the 24 June 2015 and 14 October 2015 statements from the African Union Commission,

Reaffirming its previous resolutions 1265 (1999), 1296 (2000), 1674 (2006), 1738 (2006), 1894 (2009) 2175 (2014) and 2222 (2015) on the protection of civilians in armed conflict; 1612 (2005), 1882 (2009), 1998 (2011), 2068 (2012), 2143 (2014) and 2223 (2015) on children and armed conflict; 1502 (2003) on the protection of humanitarian and United Nations personnel; and 1325 (2000), 1820 (2008), 1888 (2009), 1889 (2009), 1960 (2010), 2106 (2013), 2122 (2013), and 2242 (2015) on women, peace and security,

Stressing the need for effective human rights monitoring and reporting, including of any sexual and gender-based violence and violations and abuses committed against women and children, taking note that there have been no developments with regard to the operationalization of human rights monitoring in the Abyei Area, and *reiterating* its concern at the lack of cooperation by the parties with the Secretary-General to this end,

Recalling that its resolution 2086 (2013) reiterates the importance, when establishing and renewing the mandates of United Nations Missions, of including provisions on the promotion of gender equality and the empowerment of women in post-conflict situations and on children and armed conflict, and *emphasizing* that persistent barriers to full implementation of resolution 1325 (2000), and subsequent resolutions on women, peace, and security, including 2242 (2015), will only be dismantled through dedicated commitment to women's empowerment, participation, and human rights, and through concerted leadership, consistent information and action, and support, to build women's engagement in all levels of decision-making,

Acknowledging the Government of Sudan and the Government of South Sudan's acceptance at the 13-14 October 2015 JPSM meeting of the map presented by the AUHIP in November 2011 relating to the Safe Demilitarized Border Zone (SDBZ), their agreement that the centreline is only the location of the separation line between armed forces, as well as the parties' agreement to activate all mechanisms relating to the JPSM as provided for in relevant agreements, and *encouraging* the parties to delineate or agree on the coordinates of, and demilitarize the SDBZ, including the "14 Mile Area", and to fully implement the Joint Border Verification and Monitoring Mechanism (JBVMM), in accordance with Security Council resolution 2046 (2012) and the AUPSC Roadmap of 24 April 2012, and *underlining* the importance of fully establishing and maintaining effective JBVMM monitoring of the SDBZ, including the "14 Mile Area", and *further urging* the parties to cooperate in allowing the United Nations Interim Security Force for Abyei (UNISFA) to fulfil its responsibility to provide security for the JBVMM's mission to monitor the SDBZ,

Noting with concern the absence of local institutions to manage the Abyei Area and lack of progress in convening an Abyei Joint Oversight Committee (AJOC) meeting since March 2015,

Recognizing the importance of regular dialogue between the Governments of Sudan and South Sudan, *recalling* the United Nations Security Council decision in resolution 2046 (2012) that the parties must resume immediately negotiations to reach agreement on Abyei final status under the auspices of the AUHIP, *calling upon* all parties to engage constructively in the process mediated by the AUHIP towards final agreement on the final status of the Abyei Area, and *stressing* that the parties must immediately implement pending aspects of the 20 June 2011 Agreement, in particular to resolve the dispute over the Abyei Area Agreement, and to resolve the dispute over the Abyei Area Council, and immediately establish the Abyei Area Administration and Abyei Police Service,

Stressing that both countries and communities will have much to gain if they show restraint and choose the path of dialogue instead of resorting to violence or provocations,

Commending the continued assistance provided to the parties by the AUHIP, the Intergovernmental Authority on Development, the Federal Democratic Republic of Ethiopia, the Special Envoy of the Secretary-General for Sudan and South Sudan, and UNISFA,

Further commending the efforts of UNISFA in effectively carrying out its mandate, including by its ongoing facilitation of peaceful migration throughout the Abyei Area, conflict prevention, mediation and deterrence, and *expressing its deep appreciation* for the work of the troop-contributing countries, and *strongly underscoring* the unacceptability of any attack on United Nations personnel, including the 26 November 2015 attack that resulted in the death of a peacekeeper, and *reiterating* that such attacks should be swiftly and thoroughly investigated, and that those responsible should be held to account,

Taking note of the security situation in the Abyei Area as characterized by the 12 October 2016 Secretary-General's report (S/2016/864), and *acknowledging* UNISFA's contribution to enhanced peace and stability since its deployment and

expressing its determination to prevent the recurrence of violence against or displacements of civilians and to avert intercommunal conflict,

Reiterating its deep concern regarding the public administration and rule of law vacuum in the Abyei Area, due to continued delays in the establishment of the Abyei Area Administration and Council and Police, including a special unit to deal with particular issues related to nomadic migration, which are essential to maintain law and order and prevent intercommunal conflict in Abyei, and in this regard, *welcoming* UNISFA's efforts to support and strengthen community protection committees, and to continue engaging with both governments on this issue,

Noting with concern the continued delay in establishing the temporary institutions and resolving the final status of Abyei and that the continued threat of intercommunal violence contributes to heightened tensions in the Abyei Area, including those ongoing tensions that prevent UNISFA's and other agencies' Sudanese staff from returning to Abyei,

Urging all parties to refrain from any unilateral action that could aggravate intercommunal relations within the Abyei Area, *expressing concern* over the continued implications of what the AUPSC described in their 6 November 2013 press statement as "the decision by the Ngok Dinka to conduct a unilateral referendum" and also in this context, taking note that the Government of Sudan proceeded with its April 2015 national elections in Abyei,

Taking note of the information in the 15 April 2016 Secretary-General's report (S/2016/353) regarding completion of earthwork excavation at the Diffra oil installation,

Bearing in mind the current humanitarian situation in which humanitarian actors continue to provide assistance to 139,000 people in the Abyei Area and the importance of coherence of United Nations assistance in the region, and *further stressing* the urgency of facilitating the delivery of humanitarian assistance to all affected populations,

Affirming the importance of voluntary, safe, dignified return and sustainable reintegration of displaced persons, and of peaceful and orderly migration cycles respecting the traditional migratory routes from Sudan to South Sudan through Abyei, and urging UNISFA to continue to take measures as necessary to ensure security in the Abyei Area in accordance with its mandate,

Recalling its resolution 2117 (2013), and expressing grave concern at the threat to peace and security in Abyei arising from the illicit transfer, destabilizing accumulation and misuse of small arms and light weapons, *welcoming* the completion of infrastructure, systems, and policy for weapons confiscation, storage and destruction, and *calling on* UNISFA to ensure adequate protection of this infrastructure,

Expressing concern about the residual threat of landmines and explosive remnants of war in the Abyei Area, which hinders the safe return of displaced persons to their homes, safe migration, and livelihood activities,

Taking note of the 12 October 2016 Secretary-General's report (S/2016/864), including the Secretary-General's call on the parties to renew efforts to address the issues that have remained unresolved, implement the 20 June 2011 Abyei

Agreement, and ensure full and permanent withdrawal of all unauthorized forces from the Abyei Area,

Recalling that the Security Council welcomed in resolution 2205 (2015) the decision of the Secretary-General to appoint a civilian head of mission,

Recognizing that the current situation in Abyei and along the border between the Sudan and South Sudan continues to constitute a serious threat to international peace and security,

1. *Decides* to extend until 15 May 2017 the mandate of the United Nations Interim Security Force for Abyei (UNISFA) as set out in paragraph 2 of resolution 1990 (2011) and modified by resolution 2024 (2011) and paragraph 1 of resolution 2075 (2012), and acting under Chapter VII of the Charter of the United Nations, *further decides* to extend until 15 May 2017 the tasks of UNISFA as set out in paragraph 3 of resolution 1990 (2011), and determines that for the purposes of paragraph 1 of resolution 2024 (2011), support to the operational activities of the JBVMM shall include support to the Ad Hoc Committees, as appropriate when so requested by consensual decisions of these mechanisms, within UNISFA's operational area and existing capabilities;

2. *Takes note* of the stated intention by both sides to hold another AJOC meeting, *regrets* the meeting has not yet taken place, and *urges* the holding of more productive meetings to ensure steady progress on the implementation of previous AJOC decisions and the 20 June 2011 Agreement, *recalls* the need for African Union initiatives to support this goal and *encourages* its renewed engagement, and *requests* the Secretary-General to provide an assessment of progress on these issues in his regular reports;

3. *Underscores* that continued cooperation between the Government of Sudan and Government of South Sudan is also critical for peace, security and stability and the future relations between them;

4. *Further reiterates* its demand that Sudan and South Sudan urgently commence the establishment of the Abyei Area Administration and Council, including by resolving the deadlock over the composition of the Council, and constitute the Abyei Police Service, to enable it to take over policing functions throughout the Abyei Area, including the protection of oil infrastructure, in accordance with their commitments in the 20 June 2011 Agreement;

5. *Expresses* renewed concern regarding the delays and stalled efforts to fully operationalize the JBVMM, *takes note* of the Secretary-General's benchmarks and recommendations regarding JBVMM operations, *takes note* that continued investment in achieving full operational capability of the JBVMM should be based on a set of conditions, including resolution of the dispute over the SDBZ, resumption of border demarcation discussions, occurrence of regular meetings of the JPSM, and granting of full freedom of movement, and *calls on* both parties to demonstrate full commitment to implementation of their border arrangements and take the necessary steps to this effect, including by follow up to the 5 June 2016 meeting and by swiftly holding a further meeting of the JPSM to take the operational decisions related to their agreement on the SDBZ;

6. *Decides* to maintain the troops authorized by resolution 2104 (2013) already deployed, and that the remaining authorized forces continue to be deployed dependent on the evolution of the JBVMM, to enable UNISFA to provide required force protection to the JBVMM and to enable UNISFA to fully support the JBVMM to conduct extended operations into the SDBZ as soon as possible, and *requests* the Secretary-General to keep the Council fully updated on the status of deployment as part of his regular reporting cycle;

7. *Calls upon* the Government of Sudan and the Government of South Sudan to make timely and effective use of the JBVMM, JPSM and other agreed joint mechanisms to ensure the security and transparency of the SDBZ, including the "14 Mile Area";

8. *Urges* renewed efforts to determine conclusively the SDBZ centreline on the ground, and *reiterates* that the centreline of the SDBZ in no way prejudices the current or future legal status of the border, ongoing negotiations on the disputed and claimed areas, and demarcation of the borders;

9. *Underscores* that UNISFA's protection of civilians mandate as set out in paragraph 3 of resolution 1990 (2011) includes taking the necessary actions to protect civilians under imminent threat of physical violence, irrespective of the source of such violence;

10. *Condemns* the intermittent presence of South Sudan security service personnel and the deployment of Diffra Oil Police units in the Abyei Area, in violation of the 20 June 2011 Agreement, as well as any entry of armed militias into the territory, and *reiterates* its demands that immediately and without preconditions the Government of South Sudan fully redeploy its security service personnel from the Abyei Area and that the Government of Sudan redeploy the Oil Police in Diffra from the Abyei Area, and *further reiterates*, in accordance with relevant resolutions, in particular resolution 1990 (2011) and resolution 2046 (2012), that the Abyei Area shall be demilitarized from any forces, as well as armed elements of the local communities, other than UNISFA and the Abyei Police Service;

11. *Supports* the AJOC's 3 May 2013 and 30 March 2015 decisions on Abyei's status as a weapons-free area, *underscores* the AUPSC's concern in its 7 May 2013 Communiqué over reports that various communities living in Abyei are heavily armed, *recalls* that the 20 June 2011 Agreement on Temporary Arrangements for the Administration and Security of the Abyei Area stipulates that Abyei should be a weapons-free area and that only UNISFA is authorized to carry weapons inside the area, and in this regard, *urges* the two Governments to take all necessary steps to ensure that Abyei is effectively demilitarized, including through disarmament programs as necessary;

12. *Reaffirms* that UNISFA may undertake weapons confiscation and destruction in the Abyei Area as authorized under resolution 1990 (2011), consistent with its mandate and within its existing capabilities, in coordination with the signatories of the June 2011 Agreement on the Temporary Arrangements for the Administration and Security of the Abyei Area, the AJOC, and the Misseriya and Ngok Dinka communities and consistent with the previous AJOC decision to establish the Area as a "weapons free area", and *reiterates* its request that UNISFA, observe, document and report on the movement of weapons into Abyei and the

presence, destruction and confiscation of weapons within Abyei as part of the Secretary-General's regular reporting cycle;

13. *Requests* UNISFA to continue its dialogue with the AJOC and with the Misseriya and Ngok Dinka communities on effective strategies and oversight mechanisms for ensuring full compliance by all relevant parties with Abyei's status as a weapons-free area, with a particular priority placed on the urgent elimination of heavy or crew-served weapons, as well as rocket-propelled grenades, and *calls upon* the Governments of Sudan and South Sudan, the AJOC, and the Misseriya and Ngok Dinka communities to extend full cooperation to UNISFA in this regard;

14. *Urges* the two Governments immediately to take steps to implement confidence-building measures among the respective communities in the Abyei Area, including through reconciliation processes at the grass-roots level and supporting UNISFA in promoting community dialogue, *strongly welcomes* continued engagement between the Ngok Dinka and Misseriya communities, and *strongly urges* all Abyei communities to exercise maximum restraint in all their engagements and to desist from inflammatory acts or statements that may lead to violent clashes;

15. *Welcomes* the positive developments at the grass-roots level between the Ngok Dinka and Misseriya communities, particularly their noted commitment to reconciliation and cooperation, as demonstrated by the resumption of trading activities and the monitoring of stolen property and livestock, including the prompt return of or provision of compensation for stolen property to victims of crime;

16. *Welcomes* UNISFA initiatives, to support community dialogue and efforts by the Misseriya and Ngok Dinka communities to strengthen inter-communal relationships and facilitate stability and reconciliation in the Abyei Area, including the facilitation of joint peace committee meetings between both communities;

17. *Welcomes* UNISFA's continued efforts, within existing capabilities and resources, and in close coordination with the Misseriya and Ngok Dinka communities, to strengthen the capacities of Community Protection Committees in order to assist with management of law and order processes in Abyei and to continue engaging with both governments on this issue;

18. *Calls upon* all parties to cooperate fully with the findings and recommendations following the Abyei Area Joint Investigation and Inquiry Committee's investigation into the killing of a UNISFA peacekeeper and the Ngok Dinka Paramount Chief, *welcomes* the 24 March 2015 AUPSC press statement requesting the AU Commission to engage the parties on the findings and recommendations, and *reiterates* the need to enable the two communities to find closure on the assassination of the Ngok Dinka Paramount Chief, bearing in mind the need to promote stability and reconciliation in the Abyei Area;

19. *Expresses* its intention to review as appropriate the mandate of UNISFA for possible reconfiguration of the force in light of the compliance by Sudan and South Sudan with the decisions set forth in resolution 2046 (2012) and their commitments as set forth in the Agreements of 20 June, 29 June, 30 July 2011 and 27 September 2012, including the redeployment of all forces from the SDBZ, achieving full operational capability for the JVBMM, and the Ad Hoc Committees, as well as completing the full demilitarization of the Abyei Area;

20. *Calls upon* all Member States, in particular Sudan and South Sudan, to ensure the free, unhindered and expeditious movement, to and from Abyei and throughout the SDBZ, of all personnel, as well as equipment, provisions, supplies and other goods, including vehicles, aircraft, and spare parts, which are for the exclusive and official use of UNISFA;

21. *Renews* its call upon the Governments of Sudan and South Sudan to provide full support to the United Nations, including by promptly issuing visas to military, police and civilian United Nations personnel, including humanitarian personnel, without prejudice to their nationality, for entry into Sudan and South Sudan, facilitating basing arrangements, infrastructure construction in the Mission Area and flight clearances, and providing logistical support, *calls upon* the Governments of Sudan and South Sudan to facilitate travel from within Sudan and South Sudan to and from Abyei, and *further calls upon* all parties to fully adhere to their obligations under the Status of Forces Agreements;

22. *Recognizes* that the absence of development projects and the inability to deliver basic government services has had an adverse effect on Abyei populations and *calls upon* the Government of Sudan and the Government of South Sudan, as well as donors to support reconstruction and capacity-building;

23. *Demands* that the Government of Sudan and the Government of South Sudan continue to facilitate the deployment of the United Nations Mine Action Service (UNMAS) to ensure JBVMM freedom of movement, as well as the identification and clearance of mines in the Abyei Area and SDBZ;

24. *Further demands* that all parties involved allow all humanitarian personnel full, safe and unhindered access to civilians in need of assistance and all necessary facilities for their operations, in accordance with international law, including applicable international humanitarian law, and United Nations guiding principles of humanitarian assistance;

25. *Strongly urges* that all parties cease all forms of violence, human rights violations and abuses, violations of international humanitarian law, and violations and abuses against children in violation of applicable international law;

26. *Requests* the Secretary-General to ensure that effective human rights monitoring is carried out, and the results included in his reports to the Council, and reiterates its call upon the Government of Sudan and the Government of South Sudan to extend their full cooperation to the Secretary-General to this end, including by issuing visas to the concerned United Nations personnel;

27. *Recalls* resolution 2272 (2016) and *further requests* the Secretary-General to take the necessary measures to ensure full compliance of UNISFA with the United Nations zero tolerance policy on sexual exploitation and abuse and to keep the Council fully informed through his regular country-specific reports to the Council about UNISFA's progress in this regard, including with respect to the implementation of resolution 2272 (2016);

28. *Requests* the Secretary-General to continue to inform the Council of progress in implementing UNISFA's mandate in one written report, no later than 15 April 2017, and continue to bring to the Council's immediate attention any serious violations of the above referenced Agreements;

29. *Requests* the Secretary-General to conduct a strategic review of UNISFA, comprising an in-depth examination into the related resources and structure of its uniformed and civilian components, and *further requests* the Secretary-General to report to the Security Council on the results of this review no later than 1 April 2017, including findings and recommendations for how UNISFA should be optimally configured and streamlined as appropriate, based on a rigorous evidence-based assessment of the impact of UNISFA activities towards the implementation of its mandate in resolution 2287 (2016);

30. *Notes* the Secretary-General's efforts to ensure close cooperation among United Nations missions in the region, including UNISFA, the United Nations Mission in the Republic of South Sudan (UNMISS), and the African Union-United Nations Hybrid Operation in Darfur (UNAMID), as well as his Special Envoy for Sudan and South Sudan, and requests that he continue this practice;

31. *Decides* to remain actively seized of this matter.